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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,868	12/19/2001	Jani Hyvarinen	324-010647-US(PAR)	1041
2512	7590	06/29/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			GREY, CHRISTOPHER P	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/027,868

Applicant(s)

HYVARINEN ET AL.

Examiner

Christopher P. Grey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-9, 12-16, 18-23 are rejected under 35 U.S.C. 102(e) as being anticipated by McCanne et al. (US 6901445), hereinafter referred to as McCanne.

**Claim 1, 12, 18, 21** McCanne discloses checking the availability of the requested data transmission service and reachability of the terminal in the local network in response to the mobile station being attached to the local network and data transmission being desired between the mobile station and the terminal (fig 3/Col 7 lines 25-48).

McCanne discloses transmitting a service request (see Col 9 lines 7-41 and Col 12 lines 8-26) from the mobile station to the public mobile network in response to the data transmission service not being providable substantially in accordance with the service request and/or the terminal not being reachable via the local network (Col 4 line 54-Col 5 line 10 and fig 3/Col 7 lines 25-48 and fig 7/Col 19 lines 8-32).

**Claim 2** McCanne discloses a primary network being determined in the mobile station, the primary network (element 902) determined in the mobile station is checked when a need arises to transfer data between the terminal and the mobile station, and

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the availability of the requested data transmission service and the reachability (see claim 1) of the terminal first in the primary network are checked in response to the mobile station being located in the coverage area of the primary network Col 18 line 44-Col 19 line 20 and see fig 7).

**Claim 3, 13, 19** McCanne discloses the mobile station checking whether the terminal belongs to the local network in response to the local network and data transmission being desired between the mobile station and the terminal (Col 4 lines 54-Col 5 lines 10 and , the service request being transmitted from the mobile station to the local network in response to the terminal belonging to the local network, or the service request being transmitted to the public mobile network (see fig 7 and Col 18 line 44-Col 19 line 20).

**Claim 4, 14** McCanne discloses a service request being transmitted from the mobile station to the local network, the availability of the requested data transmission service and the reachability of the terminal are checked (see Col 15 line 53-Col 16 line 7), a message is transmitted from the local network to the mobile station in response to the data transmission service not being providable (see element 960 in fig 7) substantially in accordance with the service request and/or the terminal not being reachable via the local network, and the service request being transmitted from the mobile station to the public mobile network in response to the message received from the local network (see element 962 in fig 7 and Col 19 lines 21-28).

**Claim 5** McCanne discloses the message comprising a command to transmit the service request to another network (Col 8 lines 21-28).

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**Claim 6, 15, 22**      McCanne discloses the local network determining the network whereto the mobile station should send the service request, the message comprising a command to transmit the service request to the determined public mobile network, and the service request being transmitted to the public mobile network determined in the message (Col 8 lines 21-28 and see Col 17 lines 43-53).

**Claim 7, 16, 20**      McCanne discloses the mobile station maintaining a list on networks wherefrom services are sought, the mobile station determining in response to the message, the network whereto the service request should be transmitted, and the service request being transmitted to the public mobile network determined on the basis of the list (Col 17 lines 43-53 and Col 18 line44-Col 19 line32).

**Claim 8**      McCanne discloses the location database of the local network being checked to determine whether the terminal of the called number included in the service request is attached tot eh local network (Col 17 lines 42-53 and Col 18 lines 44-Col 32).

McCanne discloses the message being transmitted from the local network to the mobile station in response to the terminal not being attached to the local network (Col 19 lines 8-Col 28).

**Claim 9**      McCanne discloses the called number being associated in the location database with a second number (Col 18 lines 3034), where each service node contains an IP address

McCanne also discloses the message comprising the second number, and the service request comprising the second number being transmitted to the public mobile

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network (Col 19 lines 8-27), where a redirection message contains a new service nodes IP address (second number).

**Claim 23** McCanne discloses several clients, servers and routers within a local network that supports packet switching, where a local network supports wireless communication (see fig 7).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCanne (US 6901445) in view of Voit et al. (US 6870827), hereinafter referred to as Voit.

**Claim 10** McCanne does not specifically disclose the mobile station measures signal levels of base transceiver stations or access points comprised by the local network in response to the public mobile network providing data transmission service to the mobile station, a service request is transmitted from the mobile station to the local network for obtaining that data transmission service in response to the access point or base transceiver station of the local network providing a sufficient signal level, the reachability of the terminal in the local network are checked, a connection to the terminal via the local network is established in response to the data transmission

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service being providable substantially in accordance with the service request and the terminal being reachable via the local network, and the connection to the terminal via the public mobile network is released.

Voit discloses the mobile station measures signal levels of base transceiver stations or access points comprised by the local network in response to the public mobile network providing data transmission service to the mobile station, a service request is transmitted from the mobile station to the local network for obtaining that data transmission service in response to the access point or base transceiver station of the local network providing a sufficient signal level, the reachability of the terminal in the local network are checked, a connection to the terminal via the local network is established in response to the data transmission service being providable substantially in accordance with the service request and the terminal being reachable via the local network, and the connection to the terminal via the public mobile network is released (Col 8 lines 36-Col 9 line 17).

It would have been obvious to one of the ordinary skill in the art at the time of the invention that the reachability as disclosed by McCanne is determined based on a signal level as is well aware in the art and provided by Voit. Reachability may be determined by any well-known method within the art, where a PING method is equivalent to a signal level measurement method as described above.

**Claim 11** McCanne does not specifically disclose the mobile station measuring signal levels of the base transceiver stations comprised by the public mobile network in response to the local network providing data transmission service to the mobile station,

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the service request being transmitted from the mobile station to the public mobile network in response to the signal levels of the measured access points or base transceiver stations of the local network being substantially lower than the signal level of the case transceiver station of the public mobile network, and the connection to the local network being released after establishing a connection to the terminal via the public mobile network.

Voit discloses the mobile station measuring signal levels of the base transceiver stations comprised by the public mobile network in response to the local network providing data transmission service to the mobile station, the service request being transmitted from the mobile station to the public mobile network in response to the signal levels of the measured access points or base transceiver stations of the local network being substantially lower than the signal level of the case transceiver station of the public mobile network, and the connection to the local network being released after establishing a connection to the terminal via the public mobile network (Col 8 lines 36- Col 9 line 17).

It would have been obvious to one of ordinary skill in the art at the time of the invention that the reachability as disclosed by McCanne is determined based on a signal level as is well known in the art and provided by Voit. Reachability may be determined by any well-known method within the art, where a PING method is equivalent to a signal level measurement method as described above.



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3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over McCanne (US 6901445)

**Claim 17** McCanne does not specifically disclose the local network supporting IEEE802.11 standard or being based on GSM-standard-supporting base transceiver stations and radio access gateways performing protocol conversion between the IP network and the GSM network, and the public mobile network supporting the GSM standard.

However, it would have been obvious to one of the ordinary skill in the art at the time of the invention that the local network supports the 802.11 standard as McCanne discloses the local network being one that supports packet switched data. Furthermore, the packet switched network (see Col 3 lines 50-62) may support many different standards, including that of GSM.

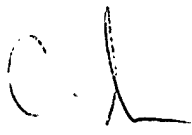
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 7:30-5:00.

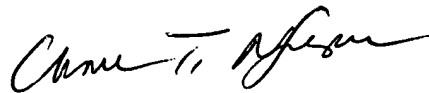
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571)272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Grey  
Examiner  
Art Unit 2616

  
June 19, 2006



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